



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,205	11/28/2001	Curtis A. Marcott	214346

23460
LEYDIG VOIT & MAYER, LTD
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CHICAGO, IL 60601-6780



CONFIRMATION NO. 1255

FORMALITIES LETTER



OC000000007765865

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Arida Guiton

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/13/2002 MBERHE 00000009 09996205

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COPY OF PAPERS
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PATENT
Attorney Docket No. 214346

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Curtis A. Marcott, et al.

Art Unit: 1743

Application No. 09/996,205

Examiner:

Filed: November 28, 2001

For: **METHOD AND SYSTEM FOR
DIAGNOSING PATHOLOGY IN
BIOLOGICAL SAMPLES BY
DETECTION OF INFRARED SPECTRAL
MARKS**

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Dear Sir

Applicants hereby respond to the Notice to File Missing Parts of Application dated April 2, 2002.

The items checked below are appropriate:

1. **Status of Applicant**

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

2. **Documents Submitted Herewith**

- a. ☒ Executed Declaration of inventor(s)
- b. ☐ Nucleotide and/or Amino Acid Sequence Submission:
 - i. ☐ Computer Readable Form (CRF)
 - ii. Specification Sequence Listing on:
 - (1) ☐ CD-ROM or CD-R (2 copies); or
 - (2) ☐ Paper Copy
 - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☒ Copy of the Notice to File Missing Parts of Application
- e. ☐ Substitute Drawings
- f. ☐ Other:

CERTIFICATE OF MAILING

I hereby certify that this document (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: June 3, 2002

Sharon A. White

3. Fees

Application Filing Fee

APPLICATION FEES				
BASIC FEE				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	-20=		x \$18.00	\$
Independent Claims	- 3=		x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$()
Fee Due =				\$

4. Late Filing of Oath or Declaration

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for ☐ other than a small entity or ☐ a small entity.

Fee Due \$ 0.00

5. Submitting a Translation of the Specification

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

Fee Due \$ 0.00

6. Extension of Time

☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Fee Due \$0.00

7. Total Fee Due

The total fee due is:

Application Filing Fee	\$
Late Filing of Declaration Surcharge	\$ 0.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$ 0.00

Total Fee Due: \$0.00

8. Fee Payment

☒ Attached is a check in the sum of \$130.00 as set forth in 37CRF 1.16(I)
☐ Charge Account No. 12-1216 the sum of \$. A duplicate of this
transmittal is attached.

9. Fee Deficiency

☒ If any additional fee is required in connection with this communication, charge
Account No. 12-1216. A duplicate of this transmittal is attached.



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Date: June 3, 2002